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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,661	06/04/2001	Elad Barkan		1312

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ELAD BARKAN
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EXAMINER

UBILES, MARIE C

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/871,661	Applicant(s) BARKAN, ELAD	
	Examiner Marie C. Ubiles	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's response filed on November 15, 2004, related to Election/Restriction action mailed August 9, 2004, has been entered. Claims 1-19 have been cancelled. Claims 20-33 have been added. Claims 20-33 are pending in this application, with claim 20 being independent.
2. Regarding the list of references, verified by Applicant, of page 3, Examiner advises Applicant to formally submit the aforementioned list by means of FORM PTO-1449, if such references are to be considered.

Claim Objections

3. Claim 20 is objected to because of the following informalities:
 - (a) In lines 4-5, the phrase "at least one of them is using wireless and or cellular and or cordless hand held device" should be deleted and replaced with "at least one of them is using wireless or cellular or cordless hand held device"; because such party cannot use the three recited devices at the same time. For examination purpose, Examiner assumes that the user uses "wireless or cellular or cordless handheld device".
 - (b) Further, the Examiner suggests to Applicant the use of "a" preceding the recited limitation "communication link" in line 8.
 - (c) The phrases "the second user" in line 11 and "the first user" in line 12, lack antecedent basis. However, in order to overcome this problem and for

consistency, the phrase "two parties" in line 4 should be changed to "a first user and a second user".

Appropriate correction regarding the aforementioned problems is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 20-23 and 26-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnston et al. (US 5,787,360).

As for claim 20, Johnston et al. discloses a communication system for wireless communications (or mobile communications system)(See Abstract), comprising, a computerized center (or LAN 40)(See Fig. 1) for forwarding information as required to establish an IP connection between two parties (or handsets 14A, 14D) where at least one of them is using a cordless handheld device (See Col. 5, lines 23-33); an add-on plural of base station (or base stations 12A-12F, See Fig. 1) which connect to the Internet or Intranet (as read on "IP address of the base station"), comprising, communication link to a user having a cordless hand held device (See Col. 5, lines 21-23); means to

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communicate with the computerized center in order to get the appropriate IP address of the second user (See Col. 5, lines 23-28); means to establish of the first user with the second user via the Internet (See Col. 7, lines 4 through Col. 8, line 65).

As for claim 21, the computerized center is distributed to create distributed computerized center reads on the use of LAN 40, as disclosed by Johnston et al.

As for claims 22 and 28-29, Johnston et al. discloses the computerized center has means to control the operation of add-on base station, communication between the parties is routed through the computerized center and means for generating and receiving control signals to facilitate communication with the user (See, for example, Col. 4, lines 33-38 and Col. 11, lines 53-57).

Regarding claim 23, Johnston et al. discloses, "the computerized center has cryptography means", as read on the use of IEEE 802.3 or IEEE 802.12, as LAN protocols (See Col. 4, lines 1-5).

As for claim 26, the computerized center has means to acquire, keep, and monitor the physical location of the base stations read on each base station having an "identifying address" (See Col. 4, lines 44-49).

Regarding claim 27, the "computerized center has means for keeping track in real time of users that can be reached through each of the base stations" is disclosed by Johnston in Col. 6, lines 3-21.

Claim 30 may be read on the function of a radio unit (or hand held device) registering with the base station whose received signal strength is the greatest (See Col. 6, lines 3-18), inherently, communication will exist between the hand

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held device and the computerized center (or LAN); as the base stations are elements attached though the LAN.

As for claim 31, please refer to Fig. 1 of Johnston and notice how the base stations 12A-12F are connected to the PSTN through PABX 44.

Claims 32-33 are rejected for the same reasons as claim 1.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnston et al. (US 5,787,360) in view of Niot et al. (US 6,028,849).

Regarding the recited limitations of claims 24-25, Niot et al. teaches a "DECT authentication module" that identifies a portable communication device to insure proper charging and billing for calls (See Col. 4, lines 5-11). Taking into consideration that Johnston et al. teaches base stations communicating by means of a DECT air interface (See Col. 5, lines 21-23); it would have been obvious to one of ordinary skill to modify Johnston et al. system as per the teachings of Niot in order to provide a telecommunication system capable of providing information regarding charging and billing of calls.

As discussed on the body of the USC 102 rejection, IEEE 802.3 and 802.12 protocols are provided with cryptography (or encryption means).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

l'Anson et al. (US 5,898,931) teaches a base station for a telecommunications system.

Kokot et al. (US 2001/0030951) teaches a communications system including a base station and mobile terminals.

Do et al. (US 6,731,945) teaches a private wireless WAP system.

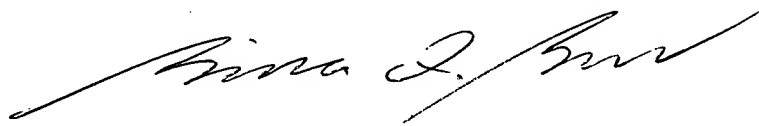
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie C. Ubiles whose telephone number is (571)272-7491. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marie C. Ubiles
April 8, 2005.

A handwritten signature in black ink, appearing to read "Bing Q. Bui", written in a cursive style.

BING Q. BUI
PRIMARY EXAMINER